



6-19-3

RCE
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REQUEST FOR CONTINUED EXAMINATION (RCE)

Application Number: 09/389,939
Filing Date: September 3, 1999
First Named Inventor: Green
Group Art Unit: 3627
Examiner Name: Cuff, Michael A.
Attorney Docket Number: 321.5452USU

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
Provides for continued examination of a utility or plant
Application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA)

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. XXX Previously submitted
- i. XXXX Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on May 21, 2003 (any unentered amendment(s) referred to above will be entered).
- ii. _____ Consider the arguments in the Appeal Brief or Reply Brief previously filed filed on _____
- iii. _____ Other _____
- b. XXX Enclosed
- i. XXXX Amendment/Reply
- ii. _____ Affidavit(s)/Declaration(s)
- iii. _____ Information Disclosure Statement (IDS)
- iv. _____ Other _____

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GROUP 3600

2. Miscellaneous

- a. _____ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. _____ Other _____

3. Fees The RCE fee Under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. XXXX The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. **01-0467**.
- i. XXXX RCE fee required under 37 C.F.R. § 1.17(e)
- ii. XXXX Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. _____ Other _____
- b. XXXX Check in the amount of \$ **430.00** enclosed (\$375.00 – filing fee, \$55.00 – one-month extension of time, small entity)
- c. _____ Payment by credit card (Form PTO-2038 enclosed)

6-18-03
Date of Signature

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. EV357652722US, service under 37 CFR § 1.10 and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313, on June 18, 2003.

Alex Nulman

(Typed name of person mailing paper)

Alex Nulman

(Signature of person mailing paper)